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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/688,298

10/13/2000

John McNally

18133-043

2946

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01/29/2003

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EXAMINER

LAXTON, GARY L

ART UNIT

PAPER NUMBER

2838

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/688,298

Applicant(s)

MCNALLY, JOHN

Examiner

Gary L. Laxton

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1,2,13,25 and 26 is/are rejected.
- 7) ☒ Claim(s) 3-12,14-22 and 27-32 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Schreiber.

Schreiber discloses a programmable intelligent power strip (figures 1 and 2) having a housing (16) with a first group of power outlets (32e, 32d) defined on the housing, a second group of power outlets (32a, 32b, 32c) defined on the housing and a means for controlling power (40) to the first and second groups of power outlets in accordance with a predetermined sequence and a predetermined delay to sequentially power on the second group of power outlets (abstract) (claims 25 and 26).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art reference Schreiber.

Schreiber discloses in figures 1 and 2, a power strip comprising; a housing (16, figure 1) with two ends; a plurality of power outlets (32a-e, figure 1), a power management circuit in the inside of the housing (figure 2) comprising, a power monitor (38) that is adapted to receive input power over an input power line (62); the power management circuit is coupled to a power supply (36) and to the power outlets via a microprocessor (40; 64a; 64c, 46e, 32e; 64d, 46d, 32d; 64e, 46b, 32b; 64g, 46c, 32c); the microprocessor (40) is coupled to the power supply (36) and to a relay driver (42); the relay driver receives control signals from the microprocessor (40); and a plurality of relays (46a-46e) coupled to the relay driver (42) and to the power outlets (32a-e); wherein the relays receive a control signal from the relay driver (42) to actuate the relays to a conductive state to powering-on the power outlets and the relays receive another control signal from the relay driver to actuate the relays to a non-conductive state to powering-off the power outlets (abstract).

However, Schreiber does not disclose the power monitor circuit as being a current sensor. It is well known that power is equal to voltage times current. Therefore, a power monitor is monitoring voltage and current levels. Thus, if the level of voltage is of no concern but the level of current is of concern, then it would have been obvious to monitor current. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to monitor the current level with a current sensor instead of monitoring the power in order to ensure current levels do not exceed a predetermined threshold in order ensure device protection.

Furthermore, the outlets are capable of being broken down into groups and still further, all of the outlets are coupled to the power monitor sensor circuit (38).

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art reference Schreiber in view of Siska.

Schreiber discloses , (figures 1 and 2), a power distribution method comprising energizing an input line (54a, 54b) to power up an outlet (32f) on a power distribution system and controlling a plurality of relays (46a-46e) to actuate a conductive state in accordance with a predetermined sequence and a predetermined delay to sequentially power on a second group of outlets (32a-32e) on the power distribution system (abstract).

However, Schreiber does not disclose energizing an input line to power up a group of power outlets.

Schreiber, as noted above, does disclose energizing an input line (54a, 54b) to power up an outlet (32f). It would not have been beyond the skill to one skilled in the art to have included additional outlets. In fact, Siska teaches of a group of outlets (figure 7; 40a-45a) which are powered up by energizing an input line. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include more than one outlet in the circuit of Schreiber which would be powered up by energizing an input line as taught by Siska for providing additional power outlets to be used by additional appliances.

Allowable Subject Matter

6. Claims 23 and 24 are allowed.

7. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or suggest, in combination with the claimed subject matter, a power distribution system comprising a plurality of power strips, the power strips being mounted in an equipment rack, the equipment rack having a number of slots adapted to securely hold a number of pieces of equipment, each power strip includes a housing, a plurality of power outlets mounted on the housing, a power management circuit, a current sensor circuit adapted to receive input power over an input power line, the current sensor circuit being coupled to a power supply and to the power outlets; a micro-controller coupled to the power supply and to a relay driver, the relay driver receiving control signals from the micro-controller and a plurality of relays coupled to the relay driver and to the power outlets, wherein the relays receive a control signal from the relay driver to actuate the relays to a conductive state to powering on the power outlets and the relays receive another control signal from the relay driver to actuate the relays to a non-conductive state to powering off the power outlets.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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8. Claims 3-12, 14-22 and 27-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4,769,555 Pequet et al discloses multi-time delay power controller apparatus with time delay.

US 5,923,103 Pulizzi et al discloses switched output controller apparatus with repeater function.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Laxton whose telephone number is (703) 305-7039. The examiner can normally be reached on Monday thru Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (703)308-1680. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

GLL
January 24, 2003


1/24/03
MICHAEL SHERRY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800